App F IX-4

Previous References

195 4-55 (C7)

File No 88-54-

Serial Nos 1, 2,

Later References

MYSORE GOVERNMENT SECRETARIAT

Serial Nos Ford

P-13
E

Part B for July 1954

SUBJECT

Recovery of lorry hire charges from Contractors Mysore City Municipality

WD 04867—GPB—9 000—11 1 54

To,

The Municipal Commissioner,
Mysore City Municipality

" Controller, S A A,
L 4995-96/ Dated 30 7 54

Approved

9/9/54

Serial No.

Letter No. C2 PR 59/54-55 & 25/5/55 from the Rd Commr, Mysore regarding recovery of Lorry hire charges from contractors

1) Submitted for perusal in put over No. L 6427-30/1-T.B. 15-52-36 dt. 5-8-52, orders were issued to recover hire charges of lorries at Rs 30/- per day, per lorry exclusive of petrol, or at the charges for petrol given lorries as in the case of P W Deptt. this order was made applicable in the case of Mysore and Bangalore Trust Boards.

fly I (page 12) of the compilation forming the estimates

2) The Controller, S A D is reported to have taken objection to the recovery of hire charges by the Mysore city Mn. Cl. at Rs 15/- per day only. He therefore, it is said, suggested to the Rd Cl to recover Rs 30/- per day, (including the pay of driver + cleaner)

2) The Mysore city Mn. Cl. have resolved that the contractors were not aware that the go would be made applicable to them at the time of their hiring the lorries, that the enhancement may be limited to 1/2 the difference between the original rate of Rs 15/- and the enhanced rate of Rs 34/-

fly H (page 4)

Note—Contn Sheet

1502/rl

File No Recovery of lorry hire charges in Mysore City of 195

Mysore Government Secretariat

Serial No

for the period from 5-8-52 (the date of the GO) to 25-8-53, being the date of means of the controller making observations (the other half refunded to contractors)

3) There is perhaps no strong ground to affirm of the proposal, when contractors of the Trust Boards and the P W Deptt have been paying at Rs 30/- per day exclusive of other charges. If this is affirmed, the contractors of the Mysore Trust Board may also put forth their claim. This proposal is however for orders

Mr 10/6

4) This proposal, if accepted, will create an inconvenient precedent. The proposal of the cl cannot be appr

14/6

5)

12/6

Secy (Ex)

6) The G O of 5th August 1952 (Flag G) fixes the rate of hire charges of lorries belonging to the City Improvement Trust Boards, Bangalore and Mysore It does not fix the rates for lorries owned by the City Municipal Council, Mysore In view of this, it would not be fair to make this rate applicable to the contractors of the City Municipal Council, Mysore, with retrospective effect The resolution passed by the Municipal Council is fair and equitable

10 JUN 1954 DEPARTME

W D 04861—GPB—60 000—22 1 54

1502/m

Subject Recovery of lorry hire charges from contractors

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and may be approved

OFFICE OF THE MINISTER FOR PUBLIC HEALTH & LOCAL-SELF GOVERNMENT
25 JUN 954
No. 1358.

JUL 1954
DEPARTMENT

3/7/54

12/7/57

Issue

To
The Min Commu Myone Ag-Mg
The Controller S&D
L 6955-6/C.M 88-56-L
D 30 7 56
Approves of the regularisation of lorry hire 4-5-56
of the Min of Myone Ag

No G2 RR 59/54-55
Encls 2

(1)

1502
MAY 1954

CITY MUNICIPAL COUNCIL,
P B No 17
Mysore, Dated 25-5-54

FROM

THE MUNICIPAL COMMISSIONER,
City Municipal Council
MYSORE

To

The Secretary to Government,
L S G & Planning Departments,
Bangalore-1.

28 MAY 1954
DEPARTMENT

(Through the President).

Sir, C.M. 88-54-1

Subject - Recovery of lorry hire charges from contractors.

Reference -- G.O.No. GTB P W 8891-97 R B. 9-51 dated 28-1-52 and L. 6427-30/15-52-36 dated 5-8-52. / fly 2 (page 12 of the Work Study)

In the above orders of Government it was directed that the hire charges of the lorries placed at the disposal of the contractors in the City Improvement Trust Board of Mysore and Bangalore be recovered at the rate of Rs. 30/- per day For the past several years, the rate levied and recovered from the Contractors was only Rs. 15/- per day in this Municipality.

The Government Auditor observed in his memo No 332/M C M. ~~date~~ dated 25-8-53, that when a higher rate of Rs. 30/- is being levied in Government P W D. and also in the Trust Board, charging a low rate of Rs. 15/- per day only by the Municipality in the absence of any orders to the contrary does not stand to reason. He suggested that taking into account the pay of the lorry driver and cleaner, at Rs 4/- a total sum of Rs 34/- be recovered per day from the contractors for the lorries lent to them.

The several contractors of the Municipality, from whom the recovery of the enhanced rate of lorry hire charges was insited from the date of Government order viz., 5-8-52 and recovered represented that they were originally paying a rate of 8 as per mile on mileage basis in previous years which was raised to 0-14-0 per mile and this was modified, for want of

P T O

(2)

of meters to the vehicles, to a flat rate ~~xx~~ levy of Rs.15/- per day in recent years, which was itself heavy. They expressed that the recovery from 5-8-52 hits them hard and prayed for a lienient view of the case being taken, on the ground that they would have made some other arrangement if only they had been apprised of an increased levy.

The question was examined by the works committee at their meeting held on 17-4-54. They were of opinion that to recover the rate fixed in the G.O. dated 5-8-52 from that date with retrospective effect was really hard. They therefore recommend that half the difference of the rate between Rs. 34/- suggested by the auditor and the rate of Rs. 15/- be recovered from the contractors for the period from 5-8-52 to 25-8-53 the date of Audit observation and the amount recovered in excess for this period be (the other half) refunded to the contractors.

The Council duly approved of the above recommendation at their meeting held on 4-5-54.

I enclose a copy of the resolution of the works committee and the Council and request you kindly to obtain orders of Government approving the proposal. It may be added that from 25-8-53 on wards the rate of Rs. 34/- is being recovered from the contractors to whom lorries are given.

Yours faithfully,

(N.Lakshman Rau)
Municipal Commissioner.

Forwarded with compliments,

(Y.Puttaswamy).
President.

PSY.

Proceedings of the Works Committee meeting held on Saturday the **17th April 54.** Immediately after inspection starting from Municipal offices at 8-30 A.M

10. Municipal Engineer's note on the audit observation regarding enhancement of lorry hire charges in this Municipality from Rs. 15/- to Rs. 34/- and on the representation of the contractors requesting refund of the hire charges, recommending that the enhancement may be given effect to from 25-8-53 ie , the date of observation with the remarks of the Municipal Commissioner thereon.

" In view of the fact that the contractors were not aware ie , that the Government order would be made applicable to them at the time of their hiring the lorries. Enhancement may be limitted to ½ this difference between the original rate of Rs 15/- and the enhanced rate of Rs. 34/- for the period in question "

Sd. K.Puttaswamy,
President

Copy,

Municipal Commissioner

(4)

Proceedings of the Adjourned Meeting of the city Municipal Council, Mysore, held in the Municipal Offices on 4-5-54 at 4 P.M

100. Works Committee resolution No.10/17-4-54 recommending that the enhancement of the lorry hire charges to Rs. 34/- from Rs 15/- per day recoverable from contractors in pursuance of G.O.No. P W 2891/97 R.B 9-51-9 dated 28-1-52 as per audit observation dated - 25-8-53 may be limited to half the difference between the original rate of Rs. 15/- and the enhanced rate of Rs. 34/- for the period from 5-8-52 to 25-8-53 (the amount recovered in excess has to be refunded.).

Approved

Sd K.Puttaswamy
President

C o p y,

Municipal Commissioner

PSK.

M G S App F VI—G 2]

SUBJECT

(5)

Diary No of letter replied to

Mysore Government Secretariat

( )

the *195*

Date of issue 14th cof 195

Signed by

May this be—
(i) printed ?
(ii) treated as a Standing Order ?
(iii) published in the Gazette English Part ?
(iv) translated ?
(v) placed at the disposal of the Press ?
(vi) published in the Gazette Kannada Part ?

Section C M

Serial No 2

File No 88-54

Proceedings of the Government of Mysore

Read—

1 G.O. No. L 6427-30/2 T B 15-52-36 & 5/8/1952 directing that hire-charges of the ~~fleet~~ lorries placed at the disposal of the contractors in the C & T Boards of Bangalore & Mysore, be recovered at the ~~rates fixed of~~ following rates:-

a) Rs 30/- per lorry per working day exclusive of petrol, oil and other charges for petrol driven lorries

b) Rs 35/- per lorry per working day

Order thereon. No.

exclusive of oil, lubricants to the charges in the case of Diesel engine losses

2) Letter No - C2 P R - 59/54-55 & 25-5-54 from the Municipal Commr., Mysore city regarding the recovery of hire charges of the losses placed at the disposal of the contractors in the Municipality

Ofce Note 4995-6
30-7-54

The Commr., Mysore city reports as follows,—

List of Enclosures

In the past several years, the rate of hire charges of the losses placed at the disposal of contractors was only Rs 15/- per day the contractors objected to the rate being charged objected to the recovery of hire charges in the bills at Rs 15/- per day only, when a higher rate of Rs 30/- is being recovered from the contractors in the P W D & the Trust Board

Copied by

Examined by

M G S App F VI—G 2]

SUBJECT

(7)

Diary No of letter replied to

Mysore Government Secretariat

( )

the *195*

Date of issue 195

Signed by

May this be—
(i) printed ?
(ii) treated as a Standing Order ?
(iii) published in the Gazette English Part ?
(iv) translated ?
(v) placed at the disposal of the Press ?
(vi) published in the Gazette Kannada Part ?

Section

Serial No

File No

Proceedings of the Government of Mysore

continued

~~Read—~~

Order thereon—No

the Board therefore suggests that taking into account the pay of the lorry driver and cleaner at Rs 4/-, a total sum of Rs 34/- be recovered per day from the contractors for the lorries lent to them ~~the Representative~~ the contractors of the municipality, ~~who~~ from whom the recovery of the enhanced rate of lorry hire charges was insisted upon from the date of the G.O. read above

(8)

Vy 5-8-52, representing ~~that~~ among other things that the recovery of from 5/8/52 and into them hand payment for a liquent was being taken

He adds that

After examining the question, the type of ml el have at their meeting held on 4-5-52, approved of the recommendation of the Works Committee as noted below:-

"In view of the fact that the contractors were not aware ie that the pre order would be made applicable to them at the time of their hiring the lorries, enhancement may be limited to ½ the difference between the original rate at Rs 15/- and the enhanced rate of Rs 34/-

to the effect that half the difference of the rate between Rs 34/- suggestedly the Auditor and the rate of Rs 15/- be recovered from the contractors for the period from 5-8-1952

List of Enclosures

Copied by

Examined by

M G S App F VI—G 2]

(9)

SUBJECT

Diary No of letter replied to

Mysore Government Secretariat

( )

the *195*

Date of issue 195

Signed by

May this be—
(i) printed ?
(ii) treated as a Standing Order ?
(iii) published in the Gazette English Part ?
(iv) translated ?
(v) placed at the disposal of the Press ?
(vi) published in the Gazette Kannada Part ?

Section

Serial No

File No

Proceedings of the Government of Mysore

continued.

~~Read~~

~~(the Date~~ to 25-8-53, the date of Audit observations and the amount recovered in excess for this period

~~Order thereon.—No~~ (the other half) be refunded to the contractors

~~He~~ He requests sanction to the resolution passed by the Mcl and states that from 25-8-53 onwards the rate of Rs 3 4/- is being recovered from the contractors to whom licence are given

(10)

The Govt of 5/8/52 fixes the rate of hire charges of horses belonging to the C.I.T. Boards of Mysore & Bangalore. It does not fix the rates for horses owned by the Mysore city Mun. Cl. In view of this, it would not be fair to make this rate applicable to the contractors of the city Mun. Cl, Mysore, with retrospective effect. They are therefore pleased to approve of the resolution passed by the Mun. Cl.

List of Enclosures

Yours,

The Mun. Com., Mysore city through the DC

The Controller, S A D

Copied by

Examined by

WD 03540—GPB—40 000—13 8 53

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

Read -

Government Order No.L.6427-30/I.T.B.15-52-36 dated the 5th August 1952 directing that hire-charges of the lorries placed at the disposal of the contractors in the City Improvement Trust Boards of Bangalore and Mysore, be recovered at the following rates -

a) Rs.30/- per lorry per working day exclusive of petrol, oil and other charges for petrol driven lorries.

b) Rs.35/- per lorry per working day exclusive of oil, lubricants and other charges in the case of Diesel engine lorries.

2. Letter No.C2.P.R.50/54-55 dated the 25th May 1954 from the Municipal Commissioner, Mysore City, regarding the recovery of hire charges of the lorries placed at the disposal of the contractors in the Municipality.

ORDER No.L. 4995-6/CM 88-54-2

DATED, BANGALORE, THE 30th JULY 1954.

The Municipal Commissioner, Mysore City, reports as follows -

For the past several years, the rate of hire-charges of the lorries placed at the disposal of contractors was only Rs.15/- per day. The Government Auditor objected to the recovery of hire charges in the Municipality at Rs.15/- per day only, when a higher rate of Rs.30/- is being recovered from the contractors in the Public Works Department and the Trust Board. The Auditor therefore suggested that taking into account the pay of the lorry driver and cleaner at Rs.4/- a total sum of Rs.34/- be recovered per day from the contractors for the lorries lent to the contractors of the Municipality, from whom the recovery of the enhanced rate of lorry hire charges was insisted upon from the date of the Government Order read above, viz., 5th August 1952, represented among other things that the recovery from 5th August 1952 hits them hard and prayed for a lenient view being taken.

He adds that after examining the question, the Mysore City Municipal Council have at their meeting held on 4th May 1954 approved of the recommendation of the Works Committee to the effect that half the difference of the rate between Rs.34/- suggested by the Auditor and the rate of Rs.15/- be recovered from the contractors for the period from 5th August 1952 to 25th August 1953, the date of Audit observations and the amount recovered in excess for this period (the other half) be refunded to the contractors. He requests sanction to the

resolution passed by the municipal council and states that from 25th August 1953 onwards the rate of Rs.24/- is being recovered from the contractors to whom lorries are given.

The Government Order dated 5th August 1952 fixes the rate of hire charges of lorries belonging to the City Improvement Trust Boards of Mysore and Bangalore. It does not fix the rates for lorries owned by the Mysore City Municipal Council. In view of this, Government consider that it would not be fair to make this rate applicable to the contractors of the City Municipal Council, Mysore, with retrospective effect. They are therefore pleased to approve of the resolution passed by the Municipal Council.

(V. Hanumanthaiya)
for Secretary to Government,
L.S.G. & Planning Departments

To

The Municipal Commissioner, Mysore City Municipality,
(through the President)
The Controller, State Accounts Department, Bangalore.

HD.5.24/7.

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C - 11